

**DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE
BOARD OF RESPIRATORY CARE
GENERAL BUSINESS MEETING
BY TELEPHONE CONFERENCE CALL
January 11, 2013
Minutes**

**Dial-In Number: 1-888-670-3525
Conference Code: 6808029433**

Participants in this public meeting should be aware that these proceedings are recorded and an audio file of the meeting is posted to the board's website.

January 11, 2013 – 8:30 a.m. EST

The minutes reflect the actual sequence of events rather than the original agenda order.

Call the Meeting to Order and Roll Call:

Bayyinah Sherrod, RRT, Chair, called the general business meeting to order at approximately 8:35 a.m. Those present for the meeting, included the following:

Members Present

Bayyinah Sherrod, RRT, Chair
Bradley Killion, RRT
Dick Fields, RRT
Kevin Barrett, CRT
Peter Hendriksen, RRT

Staff Present

Allen Hall, Executive Director
Jessica Sapp, Program Operations Administrator
Barbara Baker, RSII
Sandra Washington, RSI

Consumer Member

Shawnta Friday-Stroud, Ph.D., Vice Chair

Board Counsel

Douglas Dolan, Board Counsel,
Office of the Attorney General

ADMINISTRATIVE PROCEEDINGS

REQUESTING MODIFICATION OF FINAL ORDER

TAB 1 Albert C. Sanders, TT 7971

Mr. Sanders was present on the call.

He is requesting an extension to pay fines and costs of his Final Order, DOH Case# 2007-23712 dated September 17, 2008. The Final Order imposed a \$2000.00 fine and costs of \$470.61 due within one (1) year.

On November 9, 2010 an Order was filed granting the respondent an additional 2 years to pay the fines and costs. To this date, Mr. Sanders has not made any payment toward his fines or costs.

MOTION: After discussion, Dr Friday-Stroud made a motion to grant Ms. Sander's request for modification and extend the due date to one (1) year from the Order date. The motion was seconded by Ms. Sherrod and carried 6/0.

TAB 2 Wanda Rodriguez-Donham, RT 6367

Ms. Rodriguez-Donham was present on the call.

She is requesting an extension to pay fines and costs of her Final Order, DOH Case# 2008-18616 dated November 10, 2009. The Final Order imposed a fine of \$600.00 and costs of \$470.61 due within thirty-six (36) months of the Final Order date.

MOTION: After discussion, Dr. Friday-Stroud made a motion to grant Ms. Rodriguez-Donham's request for modification extending the due date to two (2) years from the Order date. The motion was seconded by Ms. Sherrod and carried 6/0.

TAB 3 Sharon Mazzatto, RT 5467

Ms. Sharon Mazzatto was not present on the call, nor represented by Counsel.

She is requesting an extension to pay fines and costs of her Final Order, DOH Case# 2009-05331 dated February 1, 2010. The Final Order, associated with her Settlement Agreement, imposed a fine of \$350.00 and the costs of \$2,704.66 due within three (3) years of Final Order date.

MOTION: After discussion, Ms. Sherrod made a motion to grant Ms. Mazzatto's request for modification of her Final Order added an additional three (3) years to pay fines and costs. The motion was seconded by Dr. Friday-Stroud and carried 6/0.

TAB 4 Max Abellana, RT 2636

Mr. Abellana was present on the call.

He is requesting an extension to complete the continuing education requirement imposed in his Final Order, DOH Case# 2011-20345 dated August 13, 2012. The Final Order required the respondent to complete the continuing education within ninety (90) days of the filing to Final Order.

MOTION: After discussion, Ms. Sherrod made a motion to grant Mr. Abellana's request for modification of his Final Order, extending his time until May 30, 2013 to complete the required continuing education. The motion was seconded by Dr. Friday-Stroud and carried 6/0.

PERSONAL APPEARANCE PURSUANT TO §456.013(3)(c), F.S.

TAB 5 Yenny Josefina Rodriguez, Registered Respiratory Therapist

Ms. Rodriguez was present on the call.

She was asked to participate on the conference call due to her non-compliance with a previous non-disciplinary citation.

Ms. Rodriguez was initially licensed in Florida as a registered respiratory therapist on June 14, 2005, which became null and void on May 31, 2007. On February 26, 2008, a non-disciplinary citation became a Final Order. This was issued for failure to provide satisfaction of a dishonored check in the amount of \$165.00. The total amount due is \$405.00 which includes the original payment, service charge, fine and costs. According to our records this was never complied with.

MOTION: After discussion, Ms. Sherrod made a motion to grant licensure contingent upon complying with the previous citation, paying the total amount of \$405.00 by cashiers check or money order within thirty (30) days.

The motion was seconded by Mr. Barrett and carried 6/0.

TAB 6 Ronnie Joe Hayden, Registered Respiratory Therapist

Mr. Hayden was present on the call.

He was asked to participate on the conference call due to the “yes” answer in the criminal history section of his application.

MOTION: After discussion, Dr. Friday-Stroud made a motion to grant licensure contingent upon completing a PRN evaluation and complying with PRN’s recommendations, if any, within six (6) months, otherwise the application will be administratively denied by staff.

The motion was seconded by Mr. Hendriksen and carried 6/0.

TAB 7 Ricci Alfred Crisafulli Jr., Registered Respiratory Therapist

Mr. Crisafulli was present on the call.

He was asked to participate on the conference call due to the “yes” answer in the disciplinary history section of his application.

MOTION: After discussion, Mr. Hendriksen made a motion to grant licensure with no conditions. The motion was seconded by Mr. Fields and carried 6/0.

REQUEST FOR CONSIDERATION OF EXEMPTION FOR DISQUALIFICATION FROM EMPLOYMENT

TAB 8 Ronald Eugene Whaley, RT 5764

Mr. Whaley was present on the call.

He has submitted an application for Exemption from Disqualification to seek employment in a health care facility licensed under Chapter 400, Florida Statutes.

MOTION: After discussion, Ms. Sherrod made a motion to grant Mr. Whaley's request for an Employment Exemption. The motion was seconded by Mr. Fields and carried 6/0.

TAB 9 Rafael Alfredo Bocanegra, TT4070

Mr. Bocanegra was present on the call.

He has submitted an application for Exemption from Disqualification to seek employment in a health care facility licensed under Chapter 400, Florida Statutes.

MOTION: After discussion, Ms. Sherrod made a motion to grant Mr. Bocanegra's request for an Employment Exemption. The motion was seconded by Mr. Barrett and carried 6/0.

TAB 10 Leonard Campbell, TT13985

Mr. Campbell was present on the call.

He has submitted an application for Exemption from Disqualification to seek employment in a health care facility licensed under Chapter 400, Florida Statutes.

MOTION: After discussion, Ms. Sherrod made a motion to grant Mr. Campbell's request for an Employment Exemption. The motion was seconded by Mr. Barrett and carried 6/0.

TAB 11 Gladys G. Garcia, TT9336

Ms. Garcia was present on the call and was represented by Ms. Mia McCallum, Esquire.

She has submitted an application for Exemption from Disqualification to seek employment in a health care facility licensed under Chapter 400, Florida Statutes.

MOTION: After discussion, Mr. Sherrod made a motion to grant Ms. Garcia's request for an Employment Exemption. The motion was seconded by Mr. Hendriksen and carried 6/0.

TAB 12 Albert W. Ray, RT1673

Mr. Ray was present on the call and represented by Mr. David Grossman, Esquire.

He has submitted an application for Exemption from Disqualification to seek employment in a health care facility licensed under Chapter 400, Florida Statutes.

MOTION: After discussion, Ms. Sherrod made a motion to grant Mr. Ray's request for an Employment Exemption. The motion was seconded by Mr. Fields and carried 6/0.

APPLICANT RATIFICATION LISTS

TAB 13 Certified Respiratory Therapists

MOTION: Ms. Sherrod made a motion to ratify the list of 29 names, beginning with Ashley Nicole Roy and ending with Lorraine Riley Mongelut for CRT licensure. **(Exhibit A)** The motion was seconded by Mr. Fields and carried 6/0.

TAB 14 Registered Respiratory Therapists

MOTION: Ms. Sherrod made a motion to ratify the list of 92 names, beginning with Chelsea Marie Suber and ending with Lisa Marie Tillison for RRT licensure. **(Exhibit B)** The motion was seconded by Mr. Fields and carried 6/0.

TAB 15 Continuing Education Providers

MOTION: Ms. Sherrod made a motion to ratify the one (1) provider TotalCaring, Inc, for Continuing Education Providership. **(Exhibit C)** The motion was seconded by Mr. Hendriksen and carried 6/0.

REPORTS

TAB 16 Assistant Attorney General, Douglas Dolan

- Rules Report

Mr. Dolan presented the following rules report to the Board:

64B32-2.001, License by Endorsement

This updated included application revisions to include the revisions to Section 456.0635.

Notice published on October 31, 2012
Adopted December 27, 2012
Effective January 16, 2013

TAB 17 Board Chair, Bayyinah Margaret Sherrod

No report.

TAB 18 Executive Director, Allen Hall

- Expenditures by Function *(Informational)*
- Cash Balance Report *(Informational)*

Mr. Hall briefly stated this is the standard report of the expenditures and cash balance report. A more detailed report will be discussed later in this agenda.

OLD BUSINESS

TAB 19 Board of Respiratory Care Minutes

- October 12, 2012 General Business Meeting

Motion: After Discussion, Ms. Sherrod made a motion to approve the October 12, 2012 minutes as presented. The motion was seconded by Mr. Fields and carried 6/0.

- November 15, 2012 General Business Meeting Conference Call

Motion: After Discussion, Ms. Sherrod made a motion to approve the November 15, 2012 conference call minutes as presented. The motion was seconded by Mr. Barrett and carried 6/0.

NEW BUSINESS

TAB 20 Continuing Education at Renewal

Ms. Garnet Nevels, Operations and Management Consultant, spoke on behalf of the Department of Health regarding the new renewal process and verifying continuing education at renewal. This includes modifications to the renewal system that will check the licensees' continuing education at the beginning of the renewal process and if continuing education is not yet complete, it will navigate to screens that will allow the licensee to report continuing education before proceeding with renewal. To review the new approach visit: www.CEatRenewal.com.

TAB 21 Employment Exemption Review

Board staff is proposing a revision to the current review process of Employment Exemptions for current licensees. This revision includes the use of the current conviction record guidelines which are in place for new licensure applications. The proposed request would allow board staff to approve a level 2 exemption if the licensee's criminal history falls within the clearable parameters as established by the Board for new applicants.

Currently the Board has delegated board staff to approve level 2 exemptions if the licensee holds a level 1 screening and no new history is present. Board staff feels this revision will speed up the process for eligible licensees to continue their employment or to seek employment at AHCA regulated facilities and will reduce the number of additional conference calls requested of the Board members.

MOTION: After discussion, Mr. Hendriksen made a motion to accept the proposal presented.

The motion was seconded by Mr. Fields and carried 6/0.

TAB 22 2013 Election of Officers

MOTION: After discussion, Mr. Hendriksen made a motion to elect the following officers and liaisons as listed below.

The motion was seconded by Mr. Fields and carried 6/0.

Board Chair – Bayyinah Sherrod, RRT
Vice Chair – Shawnta Friday-Stroud

Legislative Liaison – Peter Hendriksen, RRT
Budget Liaison – Dick Fields, RRT
Unlicensed Activity Liaison – Kevin Barrett, CRT
Education Liaison – Bradley Killion, RRT
Enforcement Liaison – Kevin Barrett, CRT

TAB 23 PCP Member Selections

The previously appointed panel member has requested to step down from PCP. The board must appoint a new current board member to serve on the panel for the following dates:

August 20, 2013
October 15, 2013
December 10, 2013

The panel meetings convene via conference call at 8:00 a.m. EST.

Mr. Barrett volunteered to serve on the above mentioned panels.

TAB 24 Financial Reports

Mr. Hall gave a briefly overview of the Board's current financial cash balance. According to the report provided by the Department's Senior Budget Analyst, the Board is projected to have a sufficient cash balance from the year 2012 through 2018. Currently, fee adjustments are not recommended.

OTHER BUSINESS AND INFORMATION

TAB 25 Letter of Concern from Curtis Lee Varner, RRT (*Informational only*)

No action.

PROSECUTOR'S REPORT

TAB 27 Prosecuting Attorney – Tair Rossitto-Van Winkle

PSU Respiratory Care Inventory

PSU Inventory = 23

Pre-Probable Cause Complaints

Under Legal Review	2
Awaiting PCP	2
Agendaed for December 11, 2012 PCP	6

Subtotal	10
Priority One Cases (EAU)	5

Post-PCP Complaints

Presented at Current Board	0
Awaiting Proper Service/Publication	5
Awaiting 21 day Response	1
Settlement Agreements (4/12/13 Board Meeting)	1
Request for Hearing (Awaiting VR)	1
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Subtotal	13
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Total Cases	23

Total Number of Cases Older Than One Year: 6

MOTION: Ms. Sherrod made a motion to allow prosecution to continue prosecuting year old cases. The motion was seconded by Mr. Barrett and carried 6/0.

TAB 26 Staff Recognition Correspondences (*Informational*)

Ms. Sherrod gave special thanks from the Board to the staff and the attorneys for everything they do to help the Board of Respiratory Care run smoothly.

Being no further business the meeting adjourned at 10:00 a.m.

**CERTIFIED RESPIRATORY THERAPISTS
LIST FOR RATIFICATION**

1. Roy, Ashley Nichole	TT	15445
2. Kisthardt, Kimberly Ann	TT	15446
3. Beagle, Coleen Joyce	TT	15447
4. Ramos, Melanie Zuley	TT	15448
5. Stambaugh, Brian Anthony	TT	15449
6. Moss, Jason Elton	TT	15450
7. Moynihan, Rene M	TT	15451
8. Gibbs, Dorjhan Rashaad	TT	15452
9. Lawal, Benedictta	TT	15453
10. Audain, Marie Yesmine	TT	15454
11. Sica, Carl J	TT	15455
12. Castaneda, Yohana C	TT	15456
13. Jackson, Anthony Charles	TT	15457
14. Reed, Maureen Stevan	TT	15458
15. Alexis, Anitta	TT	15459
16. Fleming, Tiffany Leanna	TT	15460
17. Birka, Lydia Rebekah	TT	15461
18. Nayee, Kavita	TT	15462
19. Rivera, Robyn Kristen	TT	15463
20. Villa, Daniel	TT	15464
21. Raco, Ronald Allen	TT	15465
22. Hilaire, Ricardo	TT	15466
23. Reed, Jammie Diane	TT	15467
24. Steinmiller, Brian Charles	TT	15468
25. Buteau, Jean Denis	TT	15469
26. Azua, Oswald	TT	15470
27. Woldow, David	TT	15471
28. Dillon, Debra Ann	TT	15472
29. Mongelut, Lorraine Riley	TT	15473

**REGISTERED RESPIRATORY THERAPISTS
LIST FOR RATIFICATION**

1. Suber, Chelsea Marie	RT	12394
2. Damasceno, Debra Jeanne	RT	12395
3. Lamme, Yvonne Jo	RT	12396
4. Payne, Timothy Jason	RT	12397
5. Froman, Terry Adam	RT	12398
6. Oser, Tina Rhiannon	RT	12399
7. Caldwell, Richelle Louise	RT	12400
8. Benjamin, Daphne C	RT	12401
9. Harris, Barbara Griffin	RT	12402
10. Quinn, Kellie Marie	RT	12403
11. Peabody, Stefani Leannon	RT	12404
12. Tefera, Alemtshay Abegaz	RT	12405
13. Shutterly, Jennifer Lynn	RT	12406
14. Messer, Robert Lewis	RT	12407
15. Maignan, Reginald	RT	12408
16. Scogna, Nicholas J	RT	12409
17. North, Mary A	RT	12410
18. Kelley, Eileen Marie	RT	12411
19. Mclean, Tina Louise	RT	12412
20. Maltby, Paula Ann	RT	12413
21. Gutierrez, Toni Anne	RT	12414
22. Horton, Gilles Robert	RT	12415
23. Hilaire, Imonise Joseph	RT	12416
24. Wilke, Diana Jean	RT	12417
25. Harris, Toya K	RT	12418
26. Tunis, Rabiatsu	RT	12419
27. Ives, Alison Becnel	RT	12420
28. Osterling, Marie Nicole	RT	12421
29. Rafidi, Awad Sami	RT	12422
30. Taylor, Carey Elizabeth	RT	12423
31. Bernard, Andrew Sheldon	RT	12424
32. Martin, Richard B	RT	12425
33. Hatfield, Christine Renee	RT	12426
34. Cubas, Alberto	RT	12427
35. Legros, Eric	RT	12428
36. Rodriguez, Kristina	RT	12429
37. Migliorino, Kristen Marie	RT	12430
38. Khan, Jahan Z	RT	12431
39. Georges, Delivrancia	RT	12432
40. Kikhia, Maleha M	RT	12433
41. Towne-McGill, Kelly Marie	RT	12434
42. Eichelberger, Tracy June	RT	12435
43. Jewell, Lindsay Renee	RT	12436
44. Murray, Katherine Dawn	RT	12437

45. Pfeifle, John	RT	12438
46. Black Jr, Daniel Paul	RT	12439
47. Sweeney, Michelle Muriel	RT	12440
48. Fraser, Lucille Madge	RT	12441
49. Manic, Anirudh	RT	12442
50. Kopple, Kathryn Palmer	RT	12443
51. Kulsrud, Gary Lynn	RT	12444
52. Silva, Kristin	RT	12445
53. Portner, Scott Dennis	RT	12446
54. Nellicken, Bobby	RT	12447
55. Price, Jennifer Michelle	RT	12448
56. Gerity, Regina M	RT	12449
57. Adams, Eileen Madeline	RT	12450
58. Herman, Michele Dee	RT	12451
59. Hibbert, Keith Leonard	RT	12452
60. Ambrose, Darcel Gloria	RT	12453
61. Jerome, Caleb Gary	RT	12454
62. King, Jean Teresa	RT	12455
63. Smith, Gary Doyle	RT	12456
64. Jean, Gaelle	RT	12457
65. Cooke, Robin A	RT	12458
66. Gilmore, Justin Vernard	RT	12459
67. Suggs, Amanda S	RT	12460
68. Robertson, Mandee Danielle	RT	12461
69. Sisco, Michele	RT	12462
70. Gray, Janet Joy	RT	12463
71. Olmedo, Jennifer Robin	RT	12464
72. Parker, Christopher James	RT	12465
73. Pierre, Malene	RT	12466
74. Alvarez, Leticia	RT	12467
75. Myers, Camille Suzanne	RT	12468
76. Noel-Saint, Antoinise	RT	12469
77. Korn-Reavis, Amy M	RT	12470
78. Martin, Nicole Lynn	RT	12471
79. Wood, Robert Charles	RT	12472
80. Polania, Carlos Eduardo	RT	12473
81. Aguilera, Giovanna R	RT	12474
82. Dexaus, Katutchka Aristide	RT	12475
83. Stackus, Cheryl Gaye	RT	12476
84. Hendricks, Sarah Eva	RT	12477
85. Adams, Ashley M	RT	12478
86. Archer, Dennis Alfred	RT	12479
87. Stewart, Michele Maureen	RT	12480
88. Steffen, Randy Lynn	RT	12481
89. Sapp, Francis Andrew	RT	12482
90. Ruiz, Sara Sofia	RT	12483
91. Strand, Andrea Staci	RT	12484
92. Tillison, Lisa Marie	RT	12485

**CONTINUING EDUCATION PROVIDERS
FOR RATIFICATION**

1. TotalCaring, Inc 50-2054